EXHIBIT V-5

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COPY

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THEFACEBOOK, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

THEFACEBOOK, INC., Plaintiff, v. CONNECTU LLC, CAMERON WINKLEVOSS, TYLER WINKLEVOSS, HOWARD WINKLEVOSS, DIVYA NARENDRA, AND DOES 1-25, Defendants.	CASE NO. 1:05-CV-047381 **DECLARATION OF ROBERT D. NAGEL IN SUPPORT OF FACEBOOK, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO QUASH SERVICE OF COMPLAINT AND SUMMONS FOR LACK OF PERSONAL JURISDICTION** Date: June 1, 2006 Time: 9:00 A.M. Dept: 2 Judge: William J. Elfving

I, Robert D. Nagel, declare:

1. I am a member of the State Bar of California and an associate with Orrick, Herrington & Sutcliffe LLP, attorneys of record for Plaintiff Facebook, Inc. in this action. I make this declaration based upon my personal knowledge and, if called as a witness in this action, could and would testify competently as to the matters set forth herein.

2. Attached hereto as **Exhibit A** is a true and correct copy of relevant excerpts from the Deposition Transcript of ConnectU LLC, dated August 9, 2005. **[CONDITIONALLY LODGED WITH THE COURT]**

3. Attached hereto as **Exhibit B** is a true and correct copy of an email string between Defendants Cameron and Howard Winklevoss, dated May 3, 2002, and Bates numbered C003865 through C003869. **[CONDITIONALLY LODGED WITH THE COURT]**

4. Attached hereto as **Exhibit C** is a true and correct copy of relevant excerpts from the Highly Confidential Deposition Transcript of Divya Narendra, dated January 16, 2006. **[CONDITIONALLY LODGED WITH THE COURT]**

5. Attached hereto as **Exhibit D** is a true and correct copy of an email, marked Confidential, from Cameron Winklevoss to Marc M. Pierrat, dated May 4, 2004 and Bates numbers C003990 through C003991. **[CONDITIONALLY LODGED WITH THE COURT]**

6. Attached hereto as **Exhibit E** is a true and correct copy of Amended Response of Defendant Cameron Winklevoss to Form Interrogatories, dated March 31, 2006.

7. Attached hereto as **Exhibit F** is a true and correct copy of Amended Response of Defendant Tyler Winklevoss to Form Interrogatories, dated March 31, 2006.

8. Attached hereto as **Exhibit G** is a true and correct copy of Amended Response of Defendant Divya Narendra to Form Interrogatories, dated March 31, 2006.

9. Attached hereto as **Exhibit H** is a true and correct copy of relevant excerpts from the Highly Confidential Deposition Transcript of Tyler Winklevoss, dated January 16, 2006. **[CONDITIONALLY LODGED WITH THE COURT]**

10. Attached hereto as **Exhibit I** is a true and correct copy of an email, marked

Confidential, from Wayne Chang to Cameron Winklevoss (and others), dated February 17, 2005 and Bates numbered C008673. **[CONDITIONALLY LODGED WITH THE COURT]**

11. Attached hereto as **Exhibit J** is a true and correct copy of relevant excerpts from the Highly Confidential Deposition Transcript of Cameron Winklevoss, dated August 9, 2005. **[CONDITIONALLY LODGED WITH THE COURT]**

12. Attached hereto as **Exhibit K** is a true and correct copy of pages printed from www.winklevoss.com.

13. Attached hereto as **Exhibit L** is a true and correct copy of a printout from the website of the California Secretary of State showing Winklevoss, LLC's registration, and its agent for service of process, in California.

14. Attached hereto as **Exhibit M** is a true and correct copy of an email, marked Confidential, from Marc M. Pierrat to Cameron Winklevoss and Divya Narendra, dated June 21, 2004 and Bates numbered C007697. **[CONDITIONALLY LODGED WITH THE COURT]**

15. Attached hereto as **Exhibit N** is a true and correct copy of an email, marked Confidential, from Marc M. Pierrat to Cameron Winklevoss, dated August 16, 2004 and Bates numbered C007602. **[CONDITIONALLY LODGED WITH THE COURT]**

16. Attached hereto as **Exhibit O** is a true and correct copy of a string of emails, marked Confidential, between Cameron Winklevoss and Howard Winklevoss, dated May 3, 2004 and Bates numbered C003865 through C003869. **[CONDITIONALLY LODGED WITH THE COURT]**

17. Attached hereto as **Exhibit P** is a true and correct copy of a string of emails, marked Confidential, from Winston Williams to Cameron and Tyler Winklevoss (and others), dated February 19, 2005, and Bates numbered C008963. **[CONDITIONALLY LODGED WITH THE COURT]**

18. Attached hereto as **Exhibit Q** is a true and correct copy of relevant excerpts from the Highly Confidential Deposition Transcript of Mark Zuckerberg, dated April 25, 2006. **[CONDITIONALLY LODGED WITH THE COURT]**

19. Attached hereto as **Exhibit R** is a true and correct copy of relevant excerpts from the Highly Confidential Deposition Transcript of ConnectU LLC, dated January 16, 2006. **[CONDITIONALLY LODGED WITH THE COURT]**

20. Attached hereto as **Exhibit S** is a true and correct copy of TheFacebook's Terms of use and privacy Policy.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in Menlo Park, California on May 11, 2006.

Robert D. Nagel